

Testimony of Melissa Updyke
February 19, 2016
Testimony before the Appropriations Committee
In Support of
Legal Aid Funding

My name is Melissa Updyke. In May 2014, my son Alex and I were referred to Connecticut Legal Services by the court support services division when my son got into some trouble.

When my son and I met with his probation officer, I told him about my frustration that Alex, who was 13 years old at that time, could neither read nor write. I had been attending Alex's planning and placement team (PPT) meetings for years asking for help. The school told me that the services they were providing Alex were the only services they had and that there was nothing more they could do.

Nieka Thompson, an attorney at Connecticut Legal Services, met with me and reviewed Alex's educational records. She was outraged by the lack of educational progress that my son had made over the years. Despite being eligible for special education and receiving services since Kindergarten, my son was still reading at a kindergarten/ first grade level in the 8th grade!

Attorney Thompson agreed to represent me at a PPT meeting that had been scheduled before her involvement. The school district cancelled the meeting and ignored our requests to reschedule it. That's when Attorney Thompson filed a complaint with the State Department of Education against them. The complaint said that the district failed to provide Alex with an appropriate education. She also asked for independent evaluations to get a better understanding of Alex's disabilities and what services were needed to help him make progress.

The district initially responded by agreeing to do evaluations but then took months to complete the evaluations they were responsible for doing. Every step they took only came about because Attorney Thompson was pushing them. They didn't care that my son still wasn't learning and getting the services he needed. At one point, the Director of Pupil Services even told me that maybe my son was just incapable of learning. This really made me mad, because I knew my son could learn to read and write if the school would just give him the services he needs. The evaluations proved that.

After the evaluations, Attorney Thompson requested that the district provide Alex with the kind of reading instruction and other services that he needed, and that the evaluations said would work for him, or send him to a school that could meet his needs, but the district refused. At that point, we requested a due process hearing. That finally got the district to take us seriously and they agreed to provide Alex with individualized reading instruction using one of the programs recommended in the initial reading evaluation. The district had to train a staff person in one of the programs. While the staff was trained, Alex was sent to Ben Bronz Academy to learn how to read. The district also agreed to send Alex to Ben Bronz each summer for reading instruction until he graduates.

This would not have happened without CLS's help. Before Attorney Thompson got involved, the school just ignored my son and every request I made for help. Since I didn't know the law, I didn't know how to get the school to provide the services my son really needed.

Today, Alex is making progress. His reading and writing have improved. He is gaining more confidence in himself. He wants to be a corrections officer when he grows up. I didn't think that he would be able to be one before, but now I know that he is on the path to gaining the skills he needs to make his wishes come true.

Thank you.